

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

REVISED DUE DATES

October 10, 2007

In Replying Give Number
Of Case and Names of Parties

VIA FACSIMILE

TO ALL COUNSEL OF RECORD

Re: No. 06-11582 - Community State Bank, et al. v. James Strong

Dear Counsel:

For the purposes of the upcoming en banc rehearing in the above-referenced case, the court desires for counsel to focus their briefs on the following issue:

Does a federal court have the subject matter jurisdiction over a petition to compel arbitration brought under § 4 of the Federal Arbitration Act, 9 U.S.C. § 4, solely because the court, after “looking through” the petition, finds a federal question in the underlying dispute to be arbitrated?

Appellant's en banc brief shall be filed in the Clerk's Office in Atlanta by 5:00 p.m., Tuesday, November 13, 2007. Appellee's en banc brief shall be filed in the Clerk's Office in Atlanta by 5:00 p.m., Thursday, December 12, 2007. Any en banc reply brief by the Appellant must be filed in the Clerk's Office in Atlanta by 5:00 p.m., Friday, December 28, 2007. NO EXTENSIONS WILL BE GRANTED. An original and 18 copies of the en banc briefs should be filed (appellant's in blue covers, appellee's in red covers and any reply in gray covers). The parties are expected to insure that all other parties receive a copy of their briefs before the close of business on the day of filing (facsimile, e-mail, etc.). NO TIME FOR MAILING SHALL BE ALLOWED. The filing of an en banc amicus briefs is governed by 11th Cir. R. 35-8. All parties are also required to upload the brief in electronic format to the court's Web site as described in 11th Cir. R. 31-5.

All counsel are requested to file 16 copies of their original opening panel briefs, record excerpts and supplemental authorities prior to 5:00 p.m., Tuesday, November 13, 2007.

Oral argument will be conducted during the week of February 25, 2008, in Atlanta, Georgia. Each party will be allotted 20 minutes per side for oral argument. Counsel will receive subsequent correspondence regarding the specific date and time of oral argument.

Thank you for your attention.

Sincerely,

THOMAS K. KAHN, Clerk

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